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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 DUSTIN NEFF,
13 Plaintiff,
14 v.
15 SBA ENTERTAINMENT, LLC, et al.,
16 Defendants.

Case No. 3:23-cv-02518-JD
Honorable James Donato Presiding

**REQUEST FOR ENTRY OF
DEFAULT AGAINST
DEFENDANT SBA
ENTERTAINMENT, LLC**

1 TO THE CLERK OF THIS COURT:

2 Plaintiff Dustin Neff respectfully requests that the Clerk of this Court enter
3 default in this case against Defendant SBA Entertainment, LLC (“Defendant”), a
4 Colorado limited liability company, because Defendant has failed to appear or
5 otherwise respond to the operative Complaint within the time prescribed by the
6 Federal Rules of Civil Procedure.

7 On June 8, 2023, Plaintiff served the operative Complaint and Summons on
8 Defendant. Dkt. 7. To date, Defendant has not filed a response to the operative
9 Complaint and its time for doing so has expired. Accordingly, Plaintiff requests
10 that the Clerk enter default against Defendant pursuant to Fed. R. Civ. P. 55(a).

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12 Dated: November 27, 2023

Respectfully submitted,

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14 By: /s/ Frank R. Trechsel
15 Scott Alan Burroughs, Esq.
16 Frank R. Trechsel, Esq.
17 DONIGER / BURROUGHS
18 *Attorneys for Plaintiff*
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DECLARATION OF FRANK R. TRECHSEL

I, Frank R. Trechsel, do declare and say as follows:

1. I am above 18 years of age and not a party to this action. I am an attorney at Doniger / Burroughs APC and lead counsel for Plaintiff Dustin Neff in this case. If called upon, I could and would competently testify as set forth below.

2. Plaintiff filed this case asserting copyright infringement claims against Defendant SBA Entertainment, LLC (“Defendant”), a Colorado limited liability company.

3. My firm caused Defendant to be served with the operative Complaint and Summons in this case on June 8, 2023. Dkt. 7.

4. To date, Defendant has not filed a response to the operative Complaint, and its time for doing so has expired under the Federal Rules of Civil Procedure.

I solemnly swear and declare under penalty of perjury and the laws of the United States of America that the foregoing is true and correct.

Executed in Venice, California on November 27, 2023.

By: /s/ Frank R. Trechsel
Frank R. Trechsel, Esq.
Declarant